

**PHYSICAL THERAPY BOARD OF CALIFORNIA****Consumer Protection Services Program**

1418 HOWE AVENUE, SUITE 16, SACRAMENTO, CA 95825-3204
TELEPHONE (916) 561-8200 FAX (916) 263-2560 TOLL FREE 1-800-832-2251
INTERNET <http://www.ptb.ca.gov>
EMAIL cps@dca.ca.gov

October 1, 2003

Dhruti F. Shah, PT
855 D Las Lomas Drive
La Habra, CA 90631

Citation No. 03-04-0055

CITATION

Investigation of a complaint has revealed actions taken by you which violate sections of the law regulating the practice of physical therapy. A Citation is hereby issued to you in accordance with Section 125.9 of the Business and Professions Code for the violations described below.

The Physical Therapy Board of California received a complaint alleging the unlicensed practice of physical therapy. Based on the allegations, the Board conducted an investigation and confirmed that while an employee at Eureka Institute, 120 W. Cerritos Avenue, Bldgs. # 3 & 8, Anaheim, California 92805, you aided and abetted the practice of physical therapy services by unlicensed individuals.

FIRST CAUSE FOR CITATION

On or about December 18, 2002, an onsite was conducted by an expert consultant at Eureka Institute at 120 West Cerritos Avenue, Buildings 3 & 8, Anaheim, Ca 92805.

On or about this date of the onsite, Grace Wu, President, was interviewed by the expert consultant and stated that there were physical therapist that would come to the clinic twice a month to do new evaluations and discharge evaluations.

On or about the date of the inspection, the expert consultant reviewed five (five) patient charts and found the names of Leslie Benson, Jen Lapipan (Incorrect spelling of name) & Dhruti Shah providing evaluations and discharge summaries.

Grace Wu stated to the expert consultant that Eureka Inst. Provides "intensive physical therapy" by "physical therapist" from Poland using modalities developed in Poland. However, it was determined that the providers from Poland are not licensed to practice autonomously.

Patient 1 N.P., findings: PT evaluation dated 1/28/02 by Leslie Benson, PT; PT discharge evaluation dated 2/5/02 by Dhruti Shah, PT; treatments to patient dated 1/28, 1/29, 1/30, 1/31, 2/1, 2/4, 2/5, 2/6, 2/7 and 2/8. However, there were no signatures on treatment records, no documentation of supervision by a licensed physical therapist, billing information (billing codes of 97001, 97112, 97530, 97110 and 97124) was provided so that family could submit claims to Blue Cross for reimbursement. Family was charged \$3250 in which family paid up front prior to treatment.

The above constitutes a violation of section 2660 (j)(k) of the Business and Professions Code in that you aided and abetted the unlicensed practice of physical therapy .

SECOND CAUSE FOR CITATION

Patient 4 Z.T. findings: PT evaluation dated 8/26/02 signed by Leslie Benson, PT and discharge summary dated 9/17/02 signed by Dhruti Shah, PT. Treatments dated 8/26-27/02, 8/29, 8/30, 9/3-7, 9/9-13, 9/16-20. All entries do not have signatures on daily treatment records and no documentation of the required supervision of a licensed physical therapist. Procedure billing codes include 97001, 97112, 97530, 97110 and 97124, total charges of \$6,500.

The above constitutes a violation of section 2660 (j)(k) of the Business and Professions Code in that you aided and abetted the unlicensed practice of physical therapy .

THIRD CAUSE FOR CITATION

Patient 5 T.L.,III findings: PT evaluation dated 9/6/02 signed by Leslie Benson, PT and discharge summary dated 12/7/02 signed by Dhruti Shah, PT. Information on treatments was consistent with that found on the above named patients.

The above constitutes a violation of section 2660 (j)(k) of the Business and Professions Code in that you aided and abetted the unlicensed practice of physical therapy .

ORDER

Further, **you are ordered to pay a fine of \$1,500** to the Physical Therapy Board of California within 30 days after receipt of this Citation.

If you wish to contest all or any part of this Citation, complete the enclosed "Notice of Appeal - Request for Informal Conference" form and return it to this office within 10 days after receipt of this Citation. The date indicated on the order of abatement will be held in abeyance only for any violation(s) you wish to contest. The time to correct all uncontested violations will be adhered to as specified. In the alternative, you may, within 30 days after receipt of this Citation, request a formal administrative hearing before an administrative law judge under the Administrative Procedure Act.

FAILURE TO RETURN THE REQUEST FOR INFORMAL CONFERENCE FORM OR TO REQUEST AN ADMINISTRATIVE HEARING WITHIN THE TIMES INDICATED WILL WAIVE YOUR RIGHT TO ADMINISTRATIVELY CONTEST OR APPEAL THIS CITATION.

Administrative Fine

\$ 1,500.00

FOR YOUR PROTECTION AND TO ASSURE PROPER CREDIT,
PLEASE RETURN THE COPY OF THE CITATION
AND NOTE THE CITATION NUMBER ON YOUR CHECK
OR MONEY ORDER.

October 1, 2003
Date

Original Signed By:
STEVEN K. HARTZELL
Executive Officer



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ORDER OF ABATEMENT

September 30, 2003

Citation Against: Dhruti Fenil Shah

Citation No. 03-04-0055

Cause No. 1-3

Violations: Business and Professions Code Section 2660 (j)(k) .

Description:

Business and Professions Code 2660 (j)
Aiding and abetting a violation of the Physical Therapy Practice Act

Business and Professions Code 2660 (k)
Aiding and Abetting the unlawful practice of physical therapy

Order of Correction

You are hereby ordered to abate this violation immediately and to cease and desist from further violation.

Failure to comply with the provisions of this Citation and Order of Abatement within 30 days of receipt may result in further legal action.